

REMARKS/ARGUMENTS

The Office Action dated January 11, 2010 has been reviewed and carefully considered. Claims 1-32 and 34 are pending. Claims 1, 16 and 20 are the only independent claims. Entry of this amendment and reconsideration of the above-identified application in light of the amendments and remarks is respectfully requested.

In the Office Action, claims 1-32 and 34 stand rejected under 35 U.S.C. §102(b) as allegedly anticipated by Stork et al. (USP 6,212,296). Applicants respectfully disagree. However in the interest of furthering prosecution of the present application, independent claims 1, 16 and 20 have been amended to recite the limitation of “...*wherein a sampling rate of the 3D motion is determined and/or adjusted using a speed of the 3D motion;*...” Support for these amendments can be found at least in the specification on page 6, line 16 – page 7, line 2. Applicants can find nothing Stork that teaches the above limitation.

Stork teaches that the sensors output voltage levels are sampled and processed via a Euler transform to describe the strokes made with the writing instrument. See col. 2, lines 45-48. However, applicants can find nothing that teaches “*wherein a sampling rate of the 3D motion is determined and/or adjusted using a speed of the 3D motion*”, as is recited in amended claims 1, 16 and 20.

Since Stork fails to disclose each and every element claimed, applicant submits that the reason for the Examiner's rejection of claims 1, 16 and 20, as amended, has

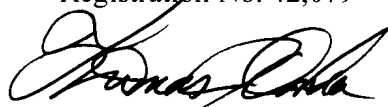
been overcome and can no longer be sustained. Applicant respectfully requests reconsideration, withdrawal of the rejection and allowance of claims 1, 16 and 20.

With regard to the dependent claims 2-15, 17-19, 21-32 and 34 these claims ultimately depend from one of the independent claims, which have been shown to be allowable in view of the cited references. Accordingly, claims 2-15, 17-19, 21-32 and 34 are also allowable by virtue of their dependence from an allowable base claim.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. Entry of this amendment and a Notice of Allowance is respectfully requested.

Respectfully submitted,

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